

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

Before the Honorable GREGORY J. FOURATT

CRIMINAL CLERK'S MINUTES at Las Cruces

Case Number:	25-867 MJ	Date:	4/29/2025	Recording Information:	LCR-SIERRA BLANCA
Clerk:	CATHY ALVAREZ	Type of Hearing:	PRELIMINARY/DETENTION		
Defendant(s):		Attorney(s):		Appt'd.	Ret'd.
NANCY ANN CANO		WILLIAM LUTZ and DAVID LUTZ		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Assistant U.S. Attorney:	MARIA ARMIJO RANDY CASTELLANO ELIZABETH TONKIN	Interpreter:	N/A		
Pretrial Officer:	VIRGINIA SILVA	Court in Session:	10:03-10:29 A.M. (13 MINS)		
<input type="checkbox"/>	Court advises Defendant(s) of possible penalties and all constitutional rights				
<input type="checkbox"/>	ORAL Motion for Detention Hearing by Government				
<input type="checkbox"/>	Court grants <input type="checkbox"/> Government's <input type="checkbox"/> Defense counsel's oral motion to continue detention hearing				
<input checked="" type="checkbox"/>	Waiver of preliminary hearing & right to grand jury presentment filed in open court				
<input checked="" type="checkbox"/>	Defendant released on the following conditions				
<input checked="" type="checkbox"/>	Conditions of Release continued on Page 2				
<input checked="" type="checkbox"/>	<p>OTHER: AUSA ARMIJO IS REQUESTING A SECURED BOND CONSIDERING THE ASSETS. AUSA ARMIJO HAS CONCERNS ABOUT THE LIVING SITUATION AND DEFENDANTS TALKING ABOUT THE CASE. DEFENSE COUNSEL WOULD LIKE AN UNSECURED BOND, DEFENDANT HAS LIVED IN DONA ANA COUNTY ALL HER LIFE AND HAS STRONG TIES TO THE COMMUNITY. DEFENSE COUNSEL HAS DEFENDANT'S PASSPORT WHICH WILL BE GIVEN TO PRETRIAL TODAY. THE FIREARMS HAVE BEEN REMOVED FROM THE HOUSE. <b>COURT'S RULING</b> – COURT RELEASES DEFENDANT ON A \$10,000 SECURED BOND AND ON THE FOLLOWING CONDITIONS AS LISTED BELOW TO INCLUDE A RENTER/OCCUPANT CONDITION:</p>				

### CONDITIONS OF RELEASE

<input checked="" type="checkbox"/>	Bond set: \$10,000 secured bond	<input checked="" type="checkbox"/>	Avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution. The defendant may be allowed to reside and have contact with Jose Luis Cano, aka Joel Cano, currently charged in Docket No. 2:25-mj-00868-GJF-1 with 18 U.S.C. 1512(c)(1) – Tampering with Evidence; however, must refrain from collaborating about the circumstances of each of their respective cases. The defendant must avoid all contact, directly or indirectly, with Cristhian Ortega-Lopez, who was arrested, and is currently charged in Docket No. 2:25-mj-00330-DLM-1 with 18 U.S.C. 922(g)(5) – Possession of a Firearm and/or Ammunition by an Illegal Alien and pending criminal proceedings.
<input type="checkbox"/>	Defendant released to the third party custody of: <b>Third Party Custodian must co-sign the bond.</b>	<input type="checkbox"/>	Participate in medical or psychiatric treatment/mental health assessment/treatment/counseling as directed by Pretrial Services.
<input type="checkbox"/>	Defendant must reside with the Third Party Custodian.	<input type="checkbox"/>	Defendant must maintain residence at the halfway house and comply with all facility rules.
<input checked="" type="checkbox"/>	Defendant must not violate federal, state, or local law while on release.	<input checked="" type="checkbox"/>	Not possess a firearm, destructive device, or other dangerous weapon.
<input checked="" type="checkbox"/>	Defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.	<input checked="" type="checkbox"/>	Not use alcohol excessively.
<input checked="" type="checkbox"/>	Defendant must advise the Court or the Pretrial Services office or supervising officer in writing before making any change of residence or telephone number.	<input checked="" type="checkbox"/>	Not use or unlawfully possess a narcotic drug or other controlled substances, unless prescribed by a licensed medical practitioner.
<input checked="" type="checkbox"/>	Defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the Court may impose.	<input type="checkbox"/>	Submit to random drug screening as directed by Pretrial Services and not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
<input checked="" type="checkbox"/>	Defendant must sign an Appearance Bond, if ordered.	<input type="checkbox"/>	Participate in a program of substance abuse treatment as directed by Pretrial Services.
<input checked="" type="checkbox"/>	Report to Pretrial Services for supervision, as directed.	<input type="checkbox"/>	<p>Participate in the location monitoring program as directed by pretrial services and comply with all of the program requirements and instructions, employing the following technology and component:</p> <p>Technology: <b>Active Global Positioning System (GPS)</b></p> <p>Component: <b>Home Detention</b></p> <p>Defendant must pay all or part of the cost of the program based on ability to pay.</p>

<input checked="" type="checkbox"/>	Continue or actively seek employment	<input checked="" type="checkbox"/>	Report as soon as possible, to Pretrial Services, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
<input checked="" type="checkbox"/>	Surrender and not obtain a passport or other international travel documents.	<input type="checkbox"/>	Refrain from the use and possession of synthetic cannabinoids or legally sold designer drugs.
<input checked="" type="checkbox"/>	Abide by the following restrictions on personal association, residence, or travel as directed by Pretrial Services. Travel restricted to: county of residence. Pretrial Services can expand travel if necessary.	<input checked="" type="checkbox"/>	<p>Other: Defendant is forbidden from renting to, continuing to rent to, or permitting the overnight stay of any person outside Defendant's family who is not either a United States Citizen or Lawful Permanent Resident Alien.</p> <p>Defendant must provide to Pretrial Services information about tenants or overnight guests (outside Defendant's legal family) not paying rent that will permit Pretrial Services to confirm that these persons are either United States Citizens or Lawful Permanent Resident Aliens. This condition applies to any residence or portion of residence, including casitas or out-buildings, over which Defendant exercise any ownership or control. Defendant must provide this information to Pretrial Services every time there is a change of tenant at any residence and every time Defendant allows overnight guests who are not also members of Defendant's family.</p> <p>Defendant shall have 30 days to provide this information to Pretrial Services initially upon Defendant's release and 30 days following any change in tenancy or stay of overnight guest on a going-forward basis.</p>